

A-Engrossed House Bill 2975

Ordered by the House April 15
Including House Amendments dated April 15

Sponsored by Representative HARTMAN; Representatives FRAGALA, GRAYBER, HELM, LEVY E, WALTERS
(Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that a pleading, admission or finding that criminal conduct constitutes DV is not an element of the crime. The Act takes effect on the 91st day after sine die. (Flesch Readability Score: 68.9).

[Digest: The Act says that a finding that a crime constitutes DV is not an element of the crime. The Act takes effect on the 91st day after sine die. (Flesch Readability Score: 84.1).]

Provides that **a pleading**, an admission or a finding that **criminal conduct constitutes** a crime *[constitutes]* **involving** domestic violence is not an element of the crime for merger purposes.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to crimes constituting domestic violence; creating new provisions; amending ORS 161.067; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 161.067 is amended to read:

161.067. (1)(a) When the same conduct or criminal episode violates two or more statutory provisions and each provision requires proof of an element that the others do not, there are as many separately punishable offenses as there are separate statutory violations.

(b) Notwithstanding ORS 132.586, 163.160 and 163.190 and paragraph (a) of this subsection, a pleading, admission or finding that criminal conduct constitutes a crime involving domestic violence, as defined in ORS 135.230, is not an element for purposes of this section.

(2) When the same conduct or criminal episode, though violating only one statutory provision involves two or more victims, there are as many separately punishable offenses as there are victims. However, two or more persons owning joint interests in real or personal property shall be considered a single victim for purposes of determining the number of separately punishable offenses if the property is the subject of one of the following crimes:

(a) Theft as defined in ORS 164.015.

(b) Unauthorized use of a vehicle as defined in ORS 164.135.

(c) Criminal possession of rented or leased personal property as defined in ORS 164.140.

(d) Criminal possession of a rented or leased motor vehicle as defined in ORS 164.138.

(e) Burglary as defined in ORS 164.215 or 164.225.

(f) Criminal trespass as defined in ORS 164.243, 164.245, 164.255, 164.265 or 164.278.

(g) Arson and related offenses as defined in ORS 164.315, 164.325 or 164.335.

(h) Forgery and related offenses as defined in ORS 165.002 to 165.070.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (3) When the same conduct or criminal episode violates only one statutory provision and in-
2 volves only one victim, but nevertheless involves repeated violations of the same statutory provision
3 against the same victim, there are as many separately punishable offenses as there are violations,
4 except that each violation, to be separately punishable under this subsection, must be separated
5 from other such violations by a sufficient pause in the defendant's criminal conduct to afford the
6 defendant an opportunity to renounce the criminal intent. Each method of engaging in oral or anal
7 sexual intercourse as defined in ORS 163.305, and each method of engaging in unlawful sexual pen-
8 etration as defined in ORS 163.408 and 163.411 shall constitute separate violations of their respec-
9 tive statutory provisions for purposes of determining the number of statutory violations.

10 **SECTION 2. The amendments to ORS 161.067 by section 1 of this 2025 Act apply to con-**
11 **duct occurring on or after the effective date of this 2025 Act.**

12 **SECTION 3. This 2025 Act takes effect on the 91st day after the date on which the 2025**
13 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**